

REMARKS/ARGUMENTS

1.) Claim Amendments

Claims 1, 3-7, and 9-12 are pending in the application. The Applicants have amended claims 1, 7, and 11; claim 8 has been canceled herein; and claim 12 has been added. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Allowable Subject Matter

The Applicants note with appreciation the conditional allowance of claim 8. The Examiner stated that claim 8 is objected to for depending from a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 8 depends directly from base claim 1. Rather than rewriting claim 8, the Applicants have amended base claim 1 to incorporate the limitations of allowable claim 8. Claim 8 has been canceled. Therefore, the allowance of amended claim 1 is respectfully requested.

3) Claim Rejections – 35 U.S.C. § 103(a)

On Page 2 of the Office Action, the Examiner rejected claims 1, 3-4, 6-7, and 10-11 under 35 U.S.C. § 103(a) as being unpatentable over Shen et al. (EP 1389862). As noted above, the Applicants have amended claim 1 into allowable form. Claims 3-4, 6, and 10 depend from allowable claim 1. Therefore, the allowance of claims 3-4, 6, and 10 is respectfully requested.

Claim 11 is an apparatus claim corresponding to method claim 1. Claim 11 has been amended to add limitations corresponding to allowable claim 8. Thus, amended claim 11 recites subject matter corresponding to allowable amended claim 1. Therefore, the allowance of amended claim 11 is respectfully requested.

Regarding claim 7, the Examiner stated that Shen discloses multiplexing/mixing the intercepted forward and reverse channel data onto a forward channel of the second multimedia call established between the gateway and the monitoring terminal. The

Examiner cited paragraph [0055] of Shen. The Applicants respectfully disagree. Shen's paragraph [0055] does not even address the step of sending the intercepted channel data to the monitoring terminal. Paragraph [0055] discusses only the adapting of the SIP signaling during call setup and forwarding the adapted parameters to each party in the call. There is, in fact, no teaching or suggestion anywhere in Shen of multiplexing/mixing the intercepted forward and reverse channel data onto a forward channel of the second multimedia call established between the gateway and the monitoring terminal.

The Applicants have rewritten claim 7 in independent form including all of the limitations of base claim 1. Since a *prima facie* case of obviousness has not been established as required in MPEP 2143, the allowance of amended claim 7 is respectfully requested.

New claim 12 is an apparatus claim corresponding to method claim 7. The allowance of new claim 12 is respectfully requested for the same reasons discussed for claim 7 above.

On Page 4 of the Office Action, the Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Shen et al. (EP 1389862) in view of Armbruster et al. (US 5892811). Claim 5 depends from allowable claim 1 and recites further limitations in combination with the novel elements of claim 1. Therefore, the allowance of claim 5 is respectfully requested.

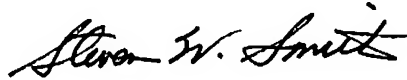
On Page 5 of the Office Action, the Examiner rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Shen et al. (EP 1389862) in view of Hoffberg et al. (US 2002/0151992). Claim 9 depends from allowable claim 1 and recites further limitations in combination with the novel elements of claim 1. Therefore, the allowance of claim 9 is respectfully requested.

4) Conclusion

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1, 3-7, and 9-12.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would expedite the prosecution of the Application.

Respectfully submitted,



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